

## REMARKS

The Office Action mailed November 1, 2005, has been received and its contents carefully noted. Claims 1-19 remain pending. Claims 20-34 are canceled. Claims 10-34 were withdrawn from consideration and claims 1-19 are rejected. By this Response, claims 1, 3 and 9 have been amended. Claim 35 is added. Support may be found in the specification and the claims as originally filed. Payment is included for 1 independent claim in excess of three for which payment originally was made. Payment also has been made for introduction of multiple dependent claims. No statutory new matter has been added. Therefore, reconsideration and entry of the claims as amended are respectfully requested.

### Claim Objections

The Examiner objected to claim 9 for indicating that the processing liquid is adjusted when the temperature of the processing liquid is adjusted.

Applicants respectfully submit that claim 9 has been amended to clarify that the temperature adjusting mechanism adjusts the temperature of the processing liquid. Therefore, Applicants respectfully assert that the objection to claim 9 should be withdrawn.

### Rejection under 35 U.S.C. 102(b)

The Examiner rejected claims 1, 3, and 4-9 under 35 U.S.C. 102(b) as being anticipated by Satoh et al. (US 5,979,475). Specifically, the Examiner deemed that Satoh discloses a substrate processing apparatus comprising a support base, a lower side movable treatment holder, and an upper side movable treatment holder. The Examiner also rejected claims 1 and 2 under 35 U.S.C. 102(b) as being anticipated by Suzuki et al. (US 5,351,360). Specifically, the Examiner deemed that Suzuki discloses a substrate processing apparatus comprising a holding member, a lower side member, and a processing liquid feed path with a discharge opening. These rejections are traversed for each of claims 1 and 3.

With Respect to claim 1, Applicants respectfully submit that the invention of that claim comprises *a movable construction* by which the lower side member is movable relative to the

holding member. The movable construction *comprises a shaft and a lift mechanism. The shaft is connected to the lower side member, through the holding member. The shaft is driven by the lift mechanism to move up and down relative to the holding member.* See Specification, page 14, lines 3-14. Claim 1, as amended, further defines that *the lower side member comprises the processing liquid feed path.*

In contrast to the claimed arrangement, Satoh et al. discloses holding a specimen (a substrate) with a Bernoulli holder which does not have a separate holding member. The Bernoulli holder 21 (Figure 6A and 6B) of Satoh et al. comprises a plate member that is arguably similar to the lower side member of the claimed invention, however, it does not have a holding member.

Satoh et al. also discloses an embodiment comprising a specimen support base 80. The lower side member and holding claws 81 seem similar to the holding member of Applicants' preferred embodiments. However, the specimen support base 80 of Satoh et al. can not move up and down relative to the holding claws 81. Furthermore, the specimen support base 80 does not comprise a processing liquid feed path.

Thus, Satoh et al. fails to teach or suggest a lower side member with a shaft through the holding member, driven by a lift mechanism to move up and down relative to the holding member. These are important features of amended claim 1. Satoh et al. therefore does not anticipate the claimed invention.

Suzuki et al. discloses a cleaning device for a wafer mount plate with an upper surface washing brush 31 and a lower surface washing brush 32. According to the Examiner, Suzuki discloses a substrate processing apparatus with a holding member (support rollers 7 shown in Figure 1), a lower side member (lower surface washing brush 32) and a processing liquid feed path with discharge opening 75.

Applicants respectfully point out that the mount plate 6 which will be cleaned by the lower surface washing brush 32 is a wafer mount plate, not a substrate. Therefore, the lower surface washing brush 32 is not equivalent to the lower side member for processing the lower side surface of the substrate according to the claimed invention. Furthermore, the lower side

member of the invention comprises the processing liquid feed path. In contrast, the processing liquid feed path of Suzuki et al. is separated from the lower surface washing brush 32, which is not a lower side member in the language of claim 1. Thus, neither Satoh et al. nor Suzuki et al. teaches a substrate processing apparatus according to the claimed invention with a lower side member movable relative to a holding member having a processing liquid feed path.

Next, with respect to claim 3, Applicants' claimed invention comprises *a lower side member having a processing liquid feed path. The lower side member is movable to a processing liquid scattering position in addition to the processing position and the retreat position.*

The Bernoulli holder 21 (Figures 6A and 6B) of Satoh et al. does not move to a processing position, a retreat position and a processing liquid scattering position. For at least this reason, the Bernoulli holder 21 of Satoh et al. does not teach or suggest the lower side member of claim 3. Therefore, Satoh et al. fails to disclose the lower side member of the claimed invention.

The lower surface washing brush 32 of Suzuki et al. also does not move to a processing position, a retreat position and a processing liquid scattering position. Suzuki et al. further fails to teach Applicants' lower side member because the lower surface washing brush 32 does not comprise a processing liquid feed path. Hence Suzuki et al. also fails to anticipate claim 3.

It is noted that presently, independent claim 10 stands withdrawn. However, claim 10 recites *an upper side member having an upper side temperature adjusting mechanism.* Satoh et al. and Suzuki et al. fail to teach a substrate processing apparatus with an upper side member having an upper side temperature adjusting mechanism.

For the foregoing reasons , the amended claims are novel and the rejection under 35 U.S.C. 102(b) should properly be withdrawn.

#### **Request for Interview**

Applicants respectfully request either a telephonic or an in-person interview should there be any remaining issues.

### CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to **Deposit Account No. 02-4300**, Attorney Docket No. **033082M115**.

Respectfully submitted,  
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